

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re: §  
KIRKLAND, DAVID M. § Case No. 15-30674-KLP  
§  
Debtor(s) §

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CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY  
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)

Roy M. Terry Jr., Chapter 7 Trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: (\$161.00) (Without deducting any secured claims)	Assets Exempt: \$12,220.20
Total Distributions to Claimants: \$17,736.13	Claims Discharged Without Payment: \$30,546.99
Total Expenses of Administration: \$2,833.88	

3) Total gross receipts of \$20,570.01 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$20,570.01 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS CHAPTER 7 ADMIN. FEES AND CHARGES(from <b>Exhibit 4</b> )	NA	\$2,833.88	\$2,833.88	\$2,833.88
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	NA	\$0.00	\$0.00	\$0.00
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	\$0.00	\$36,967.83	\$36,967.83	\$17,736.13
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	\$0.00	\$30,546.99	\$30,546.99	\$0.00
<b>TOTAL DISBURSEMENTS</b>	\$0.00	\$70,348.70	\$70,348.70	\$20,570.01

4) This case was originally filed under chapter 7 on 02/11/2015. The case was pending for 22 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated : 12/12/2016

By : /s/ Roy M. Terry Jr.  
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4 (a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 – GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE 1	AMOUNT RECEIVED
Inheritance From Grandmother's Estate	1229-000	\$20,570.01
<b>TOTAL GROSS RECEIPTS</b>		<b>\$20,570.01</b>

1The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	AMOUNT PAID
NA	NA	NA	NA
<b>TOTAL FUNDS PAID TO DEBTOR &amp; THIRD PARTIES</b>			<b>\$0.00</b>

**EXHIBIT 3 – SECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	NA	NA	NA	NA	NA	NA
<b>TOTAL SECURED</b>			<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES AND CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Roy Terry	2100-000	NA	\$2,807.00	\$2,807.00	\$2,807.00
Roy Terry	2200-000	NA	\$26.88	\$26.88	\$26.88
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		<b>NA</b>	<b>\$2,833.88</b>	<b>\$2,833.88</b>	<b>\$2,833.88</b>

**EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES AND CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NA	NA	NA	NA	NA	NA
<b>TOTAL PRIOR CHAPTER ADMIN FEES AND CHARGES</b>		NA	\$0.00	\$0.00	\$0.00

**EXHIBIT 6 – PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
000001A	INTERNAL REVENUE SERVICE	5800-000	NA	\$36,967.83	\$36,967.83	\$17,736.13
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			\$0.00	\$36,967.83	\$36,967.83	\$17,736.13

**EXHIBIT 7 – GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
000005	WELLS FARGO CARD SERVICES	7100-000	NA	\$19,025.65	\$19,025.65	\$0.00
000004	COMMONWEALTH OF VA-TAX	7100-000	NA	\$500.00	\$500.00	\$0.00
000003	CAPITAL ONE BANK (USA), N.A.	7100-000	NA	\$3,021.05	\$3,021.05	\$0.00
000002	SUNTRUST BANK	7100-000	NA	\$8,000.29	\$8,000.29	\$0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			\$0.00	\$30,546.99	\$30,546.99	\$0.00

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

**Case No: 15-30674**  
**Case Name: KIRKLAND, DAVID M.**

**Judge: Keith L. Phillips**

**Trustee Name: Roy M. Terry Jr.**  
**Date Filed (f) or Converted (c): 02/11/2015 (f)**  
**341(a) Meeting Date: 03/23/2015**  
**Claims Bar Date: 05/19/2016**

**For Period Ending: 12/12/2016**

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA) / Gross Value of Remaining Assets
1. Debtor does not have any interest in this type of	0.00	0.00		0.00	0.00
2. Cash - Approx.	24.00	0.00		0.00	FA
3. Checking Account - Wells Fargo \$2,159.02 Approx.	2,159.02	0.00		0.00	FA
4. Security Deposit w/ Landlord \$1,795	0.00	0.00		0.00	FA
5. Household Goods	1,000.00	0.00		0.00	FA
6. Couple of inexpensive paintings that Aunt Painted	500.00	0.00		0.00	FA
7. Clothes	200.00	0.00		0.00	FA
8. Remington 22 Model 597 \$149, Bow \$35, Kayak \$349,	1,013.00	0.00		0.00	FA
9. Monarch Mills, Inc. - All assets have been reposses	0.00	0.00		0.00	FA
10. David Norman Kirkland, Estate Closed Debtor receiv	0.00	0.00		0.00	FA
11. 2006 Toyota Tacoma 220,000 Miles NO LIENS	6,983.00	0.00		0.00	FA
12. 1 Dog	10.00	0.00		0.00	FA
13. Inheritance From Grandmother's Estate (u)	0.00	20,570.01		20,570.01	FA
14. Savings Account- Wells Fargo \$330.18	330.18	0.00		0.00	FA
15. Business Checking Account- Wells Fargo -\$160.00	160.00-	0.00		0.00	FA

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<b>Gross Value of Remaining Assets</b>					
<b>TOTALS (Excluding Unknown Values)</b>	12,059.20	20,570.01		20,570.01	0.00

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

**January 21, 2016- In the process of contacting the executor for the estate for turnover of assets to the bankruptcy estate.**

**May 26, 2016, 12:29 pm** Debtor has received an estate distribution and counsel has advised him to turn it over to the estate. Counsel to forward me his email to debtor. I have asked counsel to also advise if debtor received any tax refund for 2014. Hearing notes indicate a substantial refund resulting from business failure was possible but not certain.

**June 06, 2016, 01:56 pm** Mr. Winslow advises that the estate distribution received by Mr. Kirkland is approx. \$20,000. I have directed that a cashier's check be sent to me as trustee.

**June 29, 2016, 04:00 pm** Check just received. Once cleared will proceed with TFR.

**July 13, 2016- Claims reviewed and no objections. TFR submitted 07/13/16.**

**Updated 9/28/16 - TFR filed with the court on 8/29/16. Awaiting Court's Order of Disbursement.**

**Updated 11/17/16 - Zero bank balance - proceeding with TDR.**

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Initial Projected Date of Final Report(TFR) : 12/31/2016

Current Projected Date of Final Report(TFR) : 12/31/2016

Trustee's Signature     /s/Roy M. Terry Jr.  
Roy M. Terry Jr.  
P.O. Box 2188  
Richmond, VA 232182188  
Phone : (804) 783-7269

Date: 12/12/2016

FORM 2  
Document Page 8 of 10  
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 15-30674

Case Name: KIRKLAND, DAVID M.

Trustee Name: Roy M. Terry Jr.

Bank Name: Union Bank

Account Number/CD#: \*\*\*\*\*4863 Checking Account

Blanket bond (per case limit): 3,000,000.00

Separate bond (if applicable): 0.00

Taxpayer ID No: \*\*\_\*\*\*0300

For Period Ending: 12/12/2016

1	2	3	4		5	6	7
Transaction Date	Check or [Refer#]	Paid To / Received From	Description of Transaction	Uniform Trans. Code	Deposits(\$)	Disbursements(\$)	Account/ CD Balance(\$)
07/01/2016	[13]	Chase Cashier's Check	FUNDS FROM INHERITANCE	1229-000	20,570.01		20,570.01
08/09/2016		Texas Capital Bank	Transfer of funds	9999-000		20,570.01	0.00

Page Subtotals                      20,570.01                      20,570.01

<b>COLUMN TOTALS</b>	20,570.01	20,570.01
Less: Bank Transfer/CD's	0.00	20,570.01
<b>SUBTOTALS</b>	20,570.01	0.00
Less: Payments to Debtors		0.00
<b>Net</b>	20,570.01	0.00



FORM 2  
Document Page 9 of 10  
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 15-30674

Case Name: KIRKLAND, DAVID M.

Trustee Name: Roy M. Terry Jr.

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*5971 Checking Account

Taxpayer ID No: \*\*-\*\*\*0300

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 12/12/2016

Separate bond (if applicable): 0.00

1	2	3	4		5	6	7
Transaction Date	Check or [Refer#]	Paid To / Received From	Description of Transaction	Uniform Trans. Code	Deposits(\$)	Disbursements(\$)	Account/ CD Balance(\$)
08/09/2016		Union Bank	Transfer of funds	9999-000	20,570.01		20,570.01
10/06/2016	52001	Roy Terry 1111 East Main Street Suite 2400 Richmond, VA 23218	Trustee's Compensation	2100-000		2,807.00	17,763.01
10/06/2016	52002	Roy Terry 1111 East Main Street Suite 2400 Richmond, VA 23218		2200-000		26.88	17,736.13
10/06/2016	52003	INTERNAL REVENUE SERVICE Centralized Insolvency Unit P O Box 7346 Philadelphia , PA 19101-7346	Disb of 47.98% to Claim #000001A	5800-000		17,736.13	0.00

Page Subtotals                      20,570.01                      20,570.01

<b>COLUMN TOTALS</b>	20,570.01	20,570.01
Less: Bank Transfer/CD's	20,570.01	0.00
<b>SUBTOTALS</b>	0.00	20,570.01
Less: Payments to Debtors		0.00
<b>Net</b>	0.00	20,570.01

Case No: 15-30674

Case Name: KIRKLAND, DAVID M.

Trustee Name: Roy M. Terry Jr.

Bank Name: Texas Capital Bank

Account Number/CD#: \*\*\*\*\*5971 Checking Account

Taxpayer ID No: \*\*\_\*\*\*0300

Blanket bond (per case limit): 3,000,000.00

For Period Ending: 12/12/2016

Separate bond (if applicable): 0.00

1	2	3	4		5	6	7
Transaction Date	Check or [Refer#]	Paid To / Received From	Description of Transaction	Uniform Trans. Code	Deposits(\$)	Disbursements(\$)	Account/ CD Balance(\$)

All Accounts Gross Receipts: 20,570.01

All Accounts Gross Disbursements: 20,570.01

All Accounts Net: 0.00

**TOTAL-ALL ACCOUNTS****NET  
DEPOSITS****NET  
DISBURSEMENTS****ACCOUNT  
BALANCE**

\*\*\*\*\*4863 Checking Account

20,570.01

0.00

\*\*\*\*\*5971 Checking Account

0.00

20,570.01

**NetTotals**

20,570.01

20,570.01

0.00